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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,273	03/06/2002	Masatoshi Ando	OHS-319	2923

7590

04/14/2003

Sherman & Shalloway
413 N Washington Street
Alexandria, VA 22314

EXAMINER

BOYKIN, TERRESSA M

ART UNIT

PAPER NUMBER

1711

DATE MAILED: 04/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/070,273	Applicant(s) ANDO ET AL.	
	Examiner Terressa M. Boykin	Art Unit 1711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

P riod for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: |

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Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

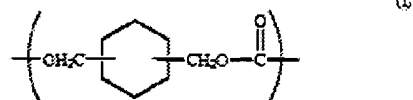
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

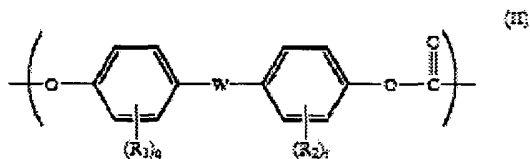
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-32 are rejected under 35 U.S.C. 102(a, b, or e) as being anticipated by USP **5432250** see abstract, cols 1-2, col. 3 line 1 through col. 4 line 38.

Applicants' claim 1 discloses a plastic lens formed of a copolycarbonate resin comprising a structural unit (I) of the following general formula (I),



and a structural unit II of the following formula



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The reference USP **5432250** discloses to a process for producing a polycarbonate. More particularly, the present invention is concerned with a process for producing a polycarbonate by subjecting a dihydroxy compound and a bisaryl carbonate to melt polycondensation through transesterification.

Examples of the cycloalkyl group include cyclopropyl, cyclopentyl, cyclohexyl, cycloheptyl and cyclooctyl groups. Examples of the aralkyl group include benzyl, phenethyl and benzhydryl groups. Examples of the aryl group include phenyl, naphthyl and anthryl groups. The aryl group is preferably a phenyl group. The above-described alkyl, cycloalkyl, aryl and aralkyl groups may have at least one substituent which is inert under reaction conditions. Examples of such a substituent include a halogen atom, an alkoxy group, an aryloxy group, an aralkyloxy group, an alkylthio group, a cyano group and a nitro group.

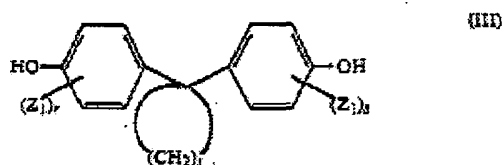
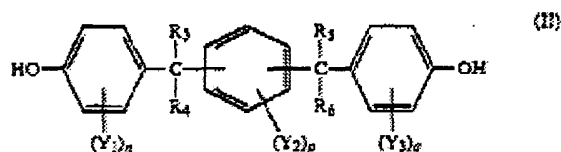
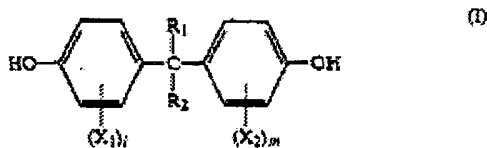
Polycarbonates are a general-purpose engineering thermoplastic and have found a wide range of applications, particularly in injection molding or a glass sheet as an alternative to a windowpane.

The term "paddle" used herein is intended to mean a discontinuous blade (that is, a blade whose bottom is not continuous with the bottom of an adjacent blade) as opposed to a screw. Although examples of the form include a convex lens and a pseudo-triangle, the form of the paddle is not limited to those only.

The reference USP 5432250 discloses in col. 3 lines 1-30 and col. 4 lines 1-36:

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Among them, preferred dihydroxy compounds are compounds represented by the following general formulae (I), (II) and (III):



(wherein R_1 , R_2 , R_3 , R_4 , R_5 and R_6 which may be the same or different, each stand for a hydrogen atom, an alkyl group, a cycloalkyl group, an aralkyl group or an aryl group, X_1 , X_2 , Y_1 , Y_2 , Y_3 , Z_1 and Z_2 , which may be the same or different, each stand for a halogen atom, an alkoxy group, an alkyl group, a cycloalkyl group, an aralkyl group or an aryl group, i , m , n , p , q , r and s are each an integer of 0 to 4 and t is an integer of 2 to 10).

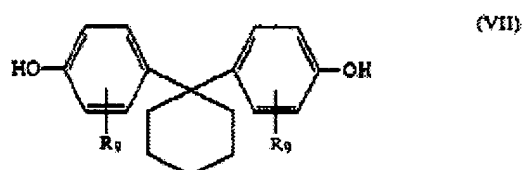
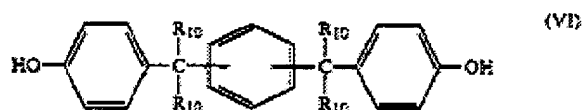
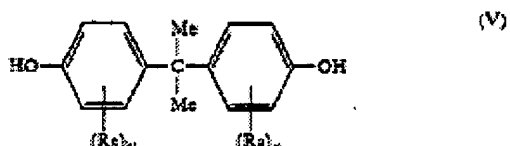
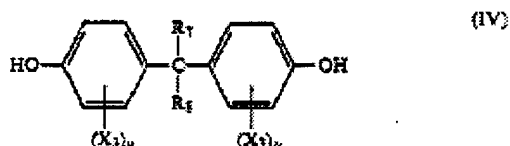
Examples of the alkyl group include straight-chain or branched alkyl groups such as methyl, ethyl, n-propyl, isopropyl, n-butyl, isobutyl, tert-butyl, n-pentyl, isopentyl, neopentyl, hexyl, heptyl, octyl, 2-ethylhexyl, decyl, undecyl and dodecyl groups. The alkyl group is preferably a straight-chain or branched alkyl group having about 1 to 8 carbon atoms.

Examples of the cycloalkyl group include cyclopropyl, cyclopentyl, cyclohexyl, cycloheptyl and cyclooctyl groups.

Examples of the aralkyl group include benzyl, phenethyl and benzhydryl groups. Examples of the aryl group include phenyl, naphthyl and anthryl groups. The aryl group is preferably a phenyl group.

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Compounds represented by the following general formulae (IV), (V), (VI) and (VII) as well are preferred as the dihydroxy compound:



(wherein R_7 , R_8 , R_9 and R_{10} each stand for a hydrogen atom, a straight-chain or branched alkyl group having 1 to 8 carbon atoms or a phenyl group, X_1 stands for a halogen atom, u is 0 to 4 and w is 1 to 4).

In view of the above, there appears to be no significant difference between the reference(s) and that which is claimed by applicant(s). Any differences not specifically mentioned appear to be conventional. Consequently, the claimed invention cannot be deemed as novel and accordingly is unpatentable.

Correspondence

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Terressa Boykin, via the receptionist whose telephone number is (703) 308-2351. The examiner can normally be reached on Monday through Friday from 8:00a.m.-5:30 p.m.

tmb

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A handwritten signature in black ink, appearing to read "Terressa Boykin". The signature is fluid and cursive, with the first name "Terressa" and last name "Boykin" clearly distinguishable.

Examiner Terressa Boykin

Primary Examiner

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